

REMARKS

Applicant has added new Claims 7, 8, and 9. Applicant respectfully submits that these amendments to the claims are supported by the application as originally filed and do not contain any new matter. Therefore, the Office Action will be discussed in terms of the claims as amended.

The Examiner has rejected Claim 1 under 35 U.S.C. 103 as being obvious over Berg, stating that foil cutters with floating heads are old in the art as shown by Applicant's citation such as European Patent 581 which is a newer design than the heads of Berg which was patented in 1951; and it would have been obvious to one of ordinary skill in the art to provide Berg with foil cutters with floating heads.

In reply thereto, Applicant has carefully reviewed EP'581 and respectfully submits that EP'581 discloses a structure including three cutting modules 1, 1 and 2. The cutting modules 1 and 1 may have foil outer cutters but are merely depressable by the skin during shaving. The cutter module 2 includes a slit-like outer cutter 20 and a sliding inner cutter 21. While this cutter module may be floating on springs, Applicant respectfully submits that this cutter is merely depressable during use by being pressed against the face of a user. In contrast thereto, in Applicant's invention is a foil-form outer cutter which is floatably supported and moved between various positions and fixable in place at a standard and upper position while also being supported floatingly. Applicant respectfully submits that subject construction is not shown or suggested in European'581. Still further, Applicant respectfully submits that European Patent'581 discloses two different kinds of cutting modules and there is no suggestion as to which one one would select.

Applicant has also carefully reviewed Berg, and respectfully submits that Berg discloses a shaver in which the outer cutter has slots for cutting long hair, and it is this outer cutter which is moved up and down so as it can be used for such things as a trimmer. Accordingly, Applicant respectfully submits that there is no suggestion in Berg that one would replace the outer cutter having wide slots for cutting long hair with a foil type cutter which is provided with small holes for cutting short hairs, particularly in view of the fact that this cutter in Berg is for use as a trimmer. In addition, Applicant respectfully submits that the cutter which is movable to two different positions in Berg is not floating at either position. In contrast thereto, Applicant's invention includes a movable unit which is a foil outer cutter which is movable so that it is at

least a standard and an upper position and the unit is in a floating state in either of these positions. Applicant respectfully submits that Berg does not suggest such a structure.

In view of the above, therefore, Applicant respectfully submits that not only is the combination suggested by the Examiner not suggested by the art, but also that the combination suggested by the Examiner is not Applicant's invention.

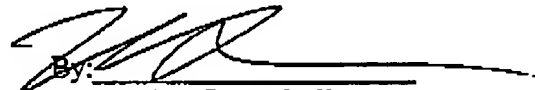
The Examiner has indicated that Claims 2-6 contain allowable subject matter. Applicant acknowledges this statement by the Examiner.

In view of the above, therefore, it is respectfully requested that this Amendment be entered, favorably considered and the case passed to issue.


Please charge any additional costs incurred by or in order to implement this Amendment or required by any requests for extensions of time to KODA & ANDROLIA DEPOSIT ACCOUNT NO. 11-1445.

Respectfully submitted,

KODA & ANDROLIA

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